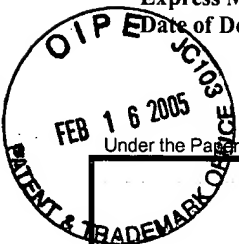


Express Mail Label No.: **EV 326603514 US**Date of Deposit: **February 16, 2005**Attorney Docket No.: **28069-546**

(Formerly: 401930/SkyePharma)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
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P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|---|
| Application Number | 09/443,863 |
| Filing Date | November 19, 1999 |
| First Named Inventor | Indu PARIKH, et al. |
| Group Art Unit | 1615 |
| Examiner Name | Gollamudi S. KISHORE |
| Attorney Docket Number | 28069-546 (Formerly: 401930/SKYE PHARMA) |

This a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required
under 37 C.F.R. § 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.iii. ☐ Otherb. ☒ Enclosed: Amendment/reply in response to the June 23, 2004 Final Office Action. This Amendment/reply is submitted in lieu of the Amendment/reply under 37 C.F.R. § 1.116 filed on December 16, 2004.i. ☒ Amendment and Remarks to Accompany Request for Continued Examination (RCE)ii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS) **02/18/2005 MWOLDGE1 00000011 09443863**iv. ☐ Other:**01 FC:1801****790.00 OP****2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other _____**3. Fees**

The RCE fee under C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any additional fees that are assessable in this application, or to credit any overpayments, to Deposit Account No. **50-0311**, Reference No. **28069-546**, Customer No.: **35437**.i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee for _____ months (37 C.F.R. §§ 1.136 and 1.17).b. ☒ Check in the amount of **\$790.00** is enclosed for RCE fee.☐ Check in the amount of _____ is enclosed for extension fee.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

| | | | |
|-------------------|------------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Leslie A. Serunian | Registration No. (Attorney/Agent) | 35,353 |
| Signature | <i>Leslie Serunian</i> | Date | February 16, 2005 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.